



May 1, 2019

**Ex Parte**

Dear Ms. Dortch:

April 29, 2019, Charles Morgan, Chairman and CEO, First Orion Corp. (“First Orion”); Jennifer Glasgow, Executive Vice President, Policy and Compliance; and the undersigned met separately with Jamie Susskind, Chief of Staff for Commissioner Brendan Carr and Michael Scurato, Acting Legal Advisor for Media and Consumer Protection for Commissioner Starks; and also with the following members of the Consumer and Governmental Affairs Bureau: Patrick Webre, Bureau Chief; Mark Stone, Deputy Bureau Chief; Eduard Bartholme, Associate Bureau Chief; Zachary Champ, Chief of Staff; Howard Parnell, Chief-Web and Print Publishing Division; Kurt Schroeder, Chief-Consumer Policy Division & Information Access & Privacy Office; Christian Fiascunari, Web Producer; and by phone Kristi Thornton, Associate Division Chief and Jerusha Burnett, Attorney Advisor

During these meetings, First Orion noted the highly effective analysis available to its carrier partners with its real time analytics deployed in-network. When such analytics are deployed in-network, individual elements of a call can be analyzed and with the application of machine-learning and AI tools, a far more precise determination on whether a call is likely to be fraudulent in nature can be made. The Commission should encourage carriers, as it has done with STIR/SHAKEN, to make reasonable efforts to use data analytics and advanced machine learning in addition to caller authentication to protect their subscribers, and should not penalize carriers if they have made such efforts to differentiate between lawful and unlawful robocalls, and have a minimal number of false positives.

First Orion applauded the Commission’s previous ruling authorizing carrier blocking in limited circumstances but also stressed the importance of the Commission not adopting overly prescriptive rules regarding carrier blocking. Enshrining such rules would give “scammers” a road map on how to revise their practices to evade such blocking. Furthermore, while certain “objective criteria” (call volumes, bursts of calls, etc.) may serve as data points in an analytics process, reliance on them is not sufficiently effective and accurate. Lastly, overly prescriptive rules would also chill innovation on call protection methods and technologies that must constantly evolve to face the ever-changing threat from scammers.

First Orion prefers call labeling, such as the *Scam Likely* service it has deployed with T-Mobile. Consumers can then decide if they wish to block calls labeled in certain ways. First Orion

emphasized that carriers and provider partners should have in place processes to quickly unblock or un-label a number that is determined to be a lawful call, but the Commission should not penalize carriers for erroneously blocking or labeling lawful calls, given the low number of false positives. First Orion's data analytics result in a fraction of a percent of false positives. Moreover, it has worked with the call originator industry to develop a registry, [www.calltransparency.com](http://www.calltransparency.com), through which legitimate call originators can register their numbers to help prevent false positives. To date, there are close to 400,000 numbers registered, representing over 500 legitimate call originators along with their service providers. These are the type of innovative solutions that industry can develop if Commission rules are not overly prescriptive.

First Orion supports a balanced regulatory approach to call protection solutions that will foster innovation and give consumers the tools they need to manage unwanted and illegal calls.

Sincerely,

*/s/ John Ayers*

John Ayers

VP, Corporate Development


cc: Jamie Susskind  
Michael Scurato  
Patrick Webre  
Mark Stone  
Eduard Bartholme  
Zachary Champ  
Howard Parnell  
Kurt Schroeder  
Christian Fiascunari  
Kristi Thornton  
Jerusha Burnett



# FIRST ORION

TRANSPARENCY IN COMMUNICATION





**100 Billion** scam calls  
get through to  
customers each year.\*

And the rate is steadily growing.

*Did you know...*  
Only 4%  
of mobile consumers receive “Caller ID” services?\*

*That means the other*  
**96%**  
only see a random number when you call them.

It's no wonder why  
**84%**  
of calls go unanswered

\*based on internal First Orion data

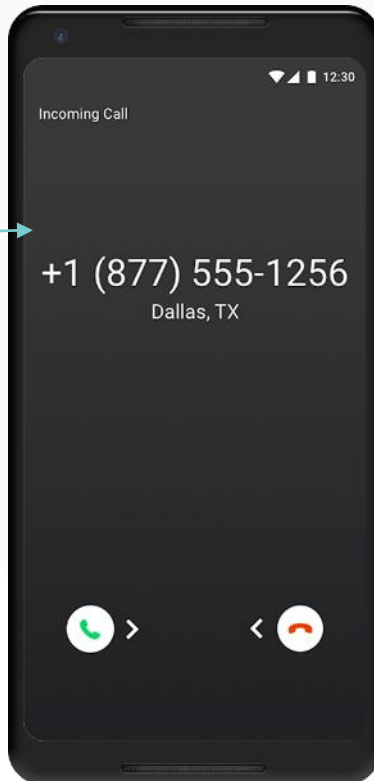
<sup>†</sup>[www.softwareadvice.com/resources/local-presence-dialing-survey/](https://www.softwareadvice.com/resources/local-presence-dialing-survey/)

# Evolution of Scam Protection at First Orion

Year	Scam Protection Features	Analytics	Unwanted Calls	Scam Calls	Total Scam & Unwanted
2017	<ul style="list-style-type: none"> <li>- Phone # Labeling</li> <li>- Sub Requested Phone # Blocking</li> </ul>	<b>Realtime In-Network</b> <ul style="list-style-type: none"> <li>- Fast Blacklists of Phone #s (6 min updates)</li> </ul>	8.00%	3.70%	11.70%
2018	<ul style="list-style-type: none"> <li>- Phone Call Labeling</li> <li>- Sub Requested Phone Call Blocking</li> </ul>	<b>Realtime In-Network Machine Learning</b> <ul style="list-style-type: none"> <li>- Fast Blacklists of Phone #s (6 min updates)</li> <li>- Spoof Call Protection Model (CallPrinting)</li> </ul>	11.00%	18.67%	29.67%
2019	<ul style="list-style-type: none"> <li>- Phone Call Labeling</li> <li>- Sub Requested Phone Call Blocking</li> <li>- Limited Carrier Blocking</li> </ul>	<b>Realtime In-Network 2<sup>nd</sup> Generation Machine Learning</b> <i>(focus on false positives)</i> <ul style="list-style-type: none"> <li>- Fast Blacklists of Phone #s (6 min updates)</li> <li>- Multiple Refined Spoof Call Protection Models (Enhanced CallPrinting)</li> <li>- STIR/SHAKEN Intelligence from T-Mobile</li> </ul>	14.00%	31.58%	45.58%
2020	<ul style="list-style-type: none"> <li>- Phone Call Labeling</li> <li>- Sub Requested Phone Call Blocking</li> <li>- Expanded Carrier Blocking</li> <li>- Other New Features</li> </ul>	<b>Realtime In-Network 3<sup>rd</sup> Generation Machine Learning and Artificial Intelligence</b> <i>(focus on false positives and false negatives)</i> <ul style="list-style-type: none"> <li>- Fast Blacklists of Phone #s (6 min updates)</li> <li>- Multiple Refined Spoof Call Protection Models (Enhanced CallPrinting)</li> <li>- STIR/SHAKEN Intelligence from All Major Carriers</li> </ul>	???	???	???

# With Inform<sup>SM</sup> from First Orion, Customers Know Who's Calling, Even If They Miss the Call

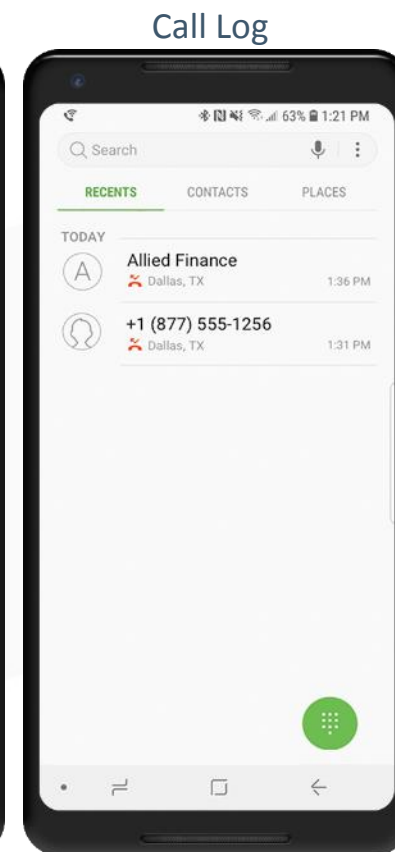
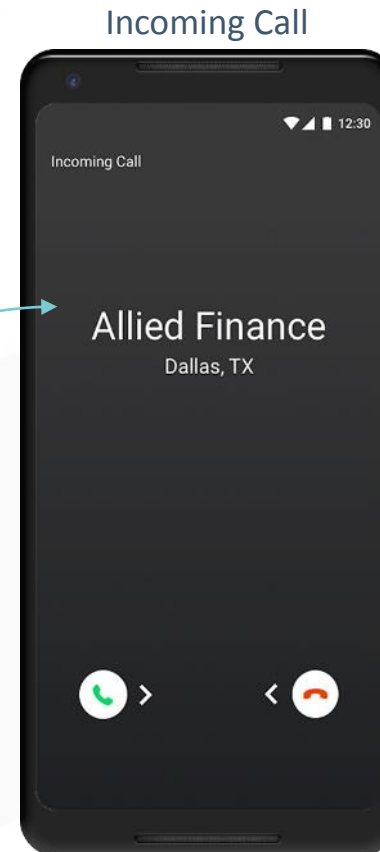
Customers  
Unlikely to  
Answer



WITHOUT INFORM

They Know  
It's You

CallerID  
controlled by  
the calling  
party.



USING INFORM FROM  
FIRST ORION

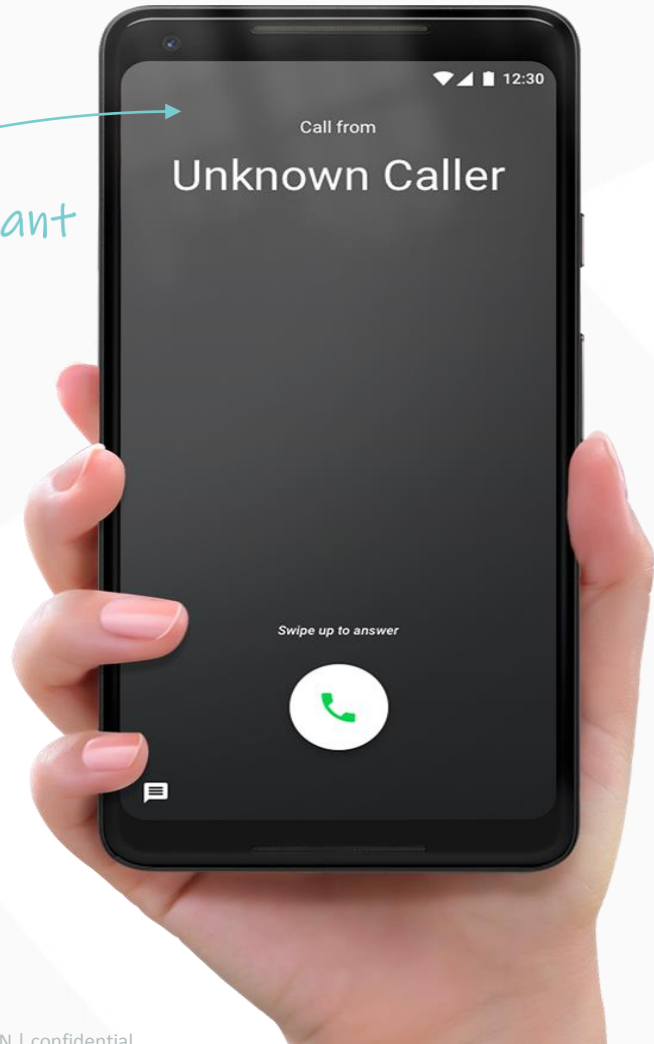
with Inform

without



# With Engage™ from First Orion, Customers Know Who's Calling and Why

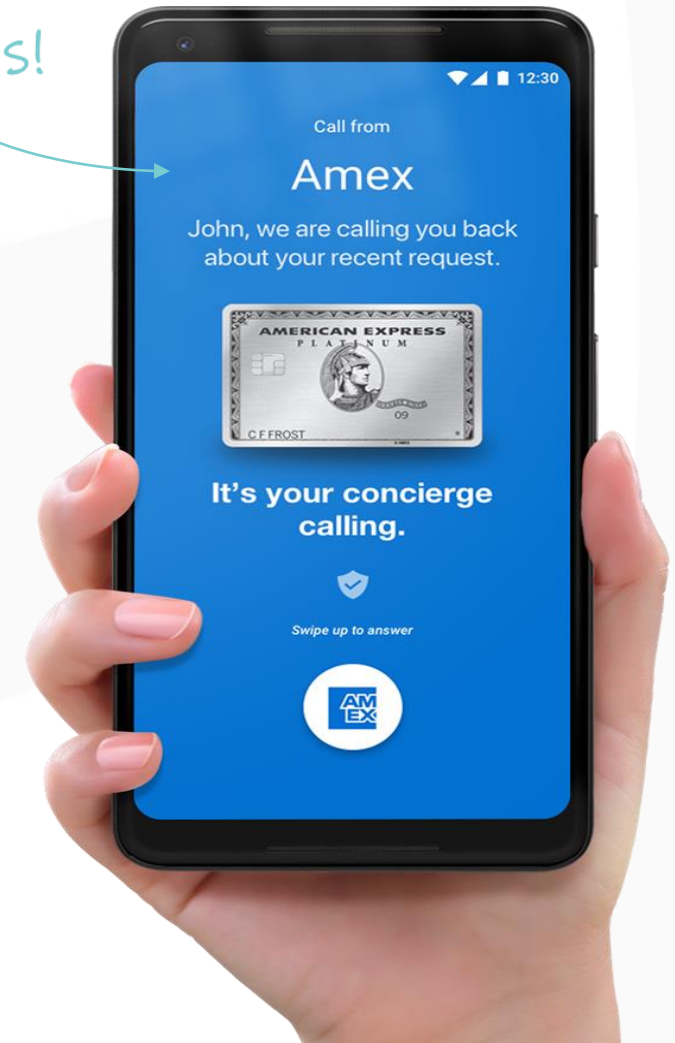
Do You Want This?



Tell consumers more than just who you are.

Tell *why* you're calling with a content-rich, branded, verified business phone call.

Or This!





**Thank you!**

